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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,755	12/06/1999	SACHIKO NISHIURA	4432-19	4202

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LAFF WHITESEL CONTE & SARET
401 NORTH MICHIGAN AVENUE
CHICAGO, IL 60611

EXAMINER

YANG, RYAN R

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 07/17/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/454,755

Applicant(s)

NISHIURA, SACHIKO

Examiner

Ryan R Yang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-11,13-20 and 22-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-11,13-20 and 22-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 06 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12. 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 4/30/2003.

This action is final.

2. Claims 1-2, 4-11, 13-20 and 22-27 are pending in this application. Claims 1, 10 and 19 are independent claims. In the Amendment, filed on 4/30/2003, claims 1, 10, and 19 were amended.

This application claims foreign priority dated 12/9/1998.

3. The present title of the invention is "Apparatus and Method for Converting an Object Display Description Document" as filed originally.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 6-11 and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Vyncke et al. (5,926,185).

As per claim 10, Vyncke et al., hereinafter Vyncke, discloses a method for converting an original set of source objects by reducing the number of objects required to display a description document, said method comprising a generating means for

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generating a set of new objects, from said original set of source objects in the document, a number of new objects in said set of new objects being fewer than a number of objects in said original set of source objects, said fewer objects obtaining a display image equivalent to the display of an image obtained from said original set of source objects ("Objects with multiple attributes like a fill and a stroke are represented as one object in most graphics art editors, but during PostScript export they get broken into multiple objects, one for the fill and one for the stroke. By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 22-27).

Wherein said generating step generates said new objects from a transparent or translucent source object and other source objects located at a layer lower than a layer including said transparent or translucent source object and spatially overlapping said transparent or translucent source object ("the objects in the sequence must be all opaque (solid) or all transparent", column 9, line 42-43),

wherein said generating step generates a new merged object including at least a first source object and a second object superimposed on said first source object ("By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 25-27).

6. As per claim 11, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses said generating step deletes source objects hidden spatially behind another source object which is not

transparent nor translucent ("To merge the two objects, the stroke is transferred to the back object and the top object is deleted", column 5, line 39-41).

7. As per claim 15, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a step of storing said set of new objects to a storage medium (Figure 1 104).

8. As per claim 16, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a step of selectively storing said set of source objects or said set of new objects to a storage medium (Figure 1 100).

9. As per claim 17, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a step of displaying said set of new objects ("the output device may be a display screen", column 1, line 35).

10. As per claim 18, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a means for selectively displaying said set of source objects or said set of new objects, wherein said apparatus is used as a browser (Figure 7B is a browsing process).

11. As per claim 1, Vyncke et al., hereinafter Vyncke, discloses an apparatus for converting an original set of source objects by reducing the number of objects required to display a description document, said apparatus comprising a generating means for generating a set of new objects, from said original set of source objects in the document, a number of new objects in said set of new objects being fewer than a number of objects in said original set of source objects, said fewer objects obtaining a display image equivalent to the display of an image obtained from said original set of

source objects ("Objects with multiple attributes like a fill and a stroke are represented as one object in most graphics art editors, but during PostScript export they get broken into multiple objects, one for the fill and one for the stroke. By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 22-27).

Wherein said generating means generates said new objects from a transparent or translucent source object and other source objects located at a layer lower than a layer including said transparent or translucent source object and spatially overlapping said transparent or translucent source object ("the objects in the sequence must be all opaque (solid) or all transparent", column 9, line 42-43),

wherein said generating means generates a new merged object including at least a first source object and a second object superimposed on said first source object ("By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 25-27).

As per independent claim 1, since this is directed to an apparatus for performing the method of independent claim 10, and therefore is identically rejected to independent claim 10.

Regarding the "means plus function" language, the means refer to the software methods executed on generically disclosed hardware explicitly disclosed by Vyncke. It is further noted that both software and hardware means are functionally equivalent.

12. As per claim 2, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses said generating means deletes

source objects hidden spatially behind another source object which is not transparent nor translucent ("To merge the two objects, the stroke is transferred to the back object and the top object is deleted", column 5, line 39-41).

13. As per claim 6, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for storing said set of new objects to a storage medium (Figure 1 104).

14. As per claim 7, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for selectively storing said set of source objects or said set of new objects to a storage medium (Figure 1 100).

15. As per claim 8, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for displaying said set of new objects, wherein said apparatus is used as a browser ("the output device may be a display screen", column 1, line 35, and Figure 7B is a browsing process).

16. As per claim 9, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for selectively displaying said set of source objects or said set of new objects, wherein said apparatus is used as a browser (Figure 7B is a browsing process).

Claim Rejections - 35 USC § 103

17. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

18. Claims 19-20 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke et al.

As per claims 19-20 and 24-27, since Vyncke's disclosure are useful in computer graphics processing, it is obvious that his method can be executed in the form of computer program in order to process graphical objects, therefore, they are similarly rejected as claims 10-11 and 15-18, respectively.

19. Claims 4, 13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke et al. as applied to claim 1 above, and further in view of Cannon (5,559,950)

As per claim 13, Vyncke demonstrated all the elements as applied to the rejection of independent claim 10, supra.

Vyncke discloses a method of optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generation of said new object from said transparent or translucent source object and said other source objects is performed for a time range in which said transparent or translucent source object spatially overlaps said other source objects", however, this is known in the art as taught by Cannon. Cannon discloses an animated display system in which for a time range the transparent or translucent source object spatially overlaps the background object (Figure 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon into Vyncke because Vyncke discloses a method of optimizing graphical objects and Cannon discloses a system to

spatially overlap transparent animated objects to other objects in order to increase the animation speed.

20. As per claim 4, Vyncke demonstrated all the elements as applied to the rejection of independent claim 1, *supra*.

Vyncke discloses a generating means for optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generation of said new object from said transparent or translucent source object and said other source objects is performed for a time range in which said transparent or translucent source object spatially overlaps said other source objects", however, this is known in the art as taught by Cannon.

Cannon discloses an animated display system in which for a time range the transparent or translucent source object spatially overlaps the background object (Figure 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon into Vyncke because Vyncke discloses a generating means for of optimizing graphical objects and Cannon discloses a system to spatially overlap transparent animated objects to other objects in order to increase the animation speed.

Regarding the "means plus function" language, the means refer to the software methods executed on generically disclosed hardware explicitly disclosed by Vyncke. It is further noted that both software and hardware means are functionally equivalent.

21. As per claim 22, since Vyncke and Cannon's disclosure are used in computer graphics processing, it is obvious the method can be written and executed in the form of computer program, therefore is similarly rejected as claims 13.

22. Claims 5, 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke et al. as applied to claim 1 above, and further in view of Capps et al. (5,583,542).

As per claim 14, Vyncke demonstrated all the elements as applied to the rejection of independent claim 10, supra.

Vyncke discloses a method of optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generating means deletes a source object when a display time for said source object is out of a display time range for said set of source objects", however, this is known in the art as taught by Capps et al., hereinafter Capps. Capps discloses an object deleting method in which "the object O could be deleted after the animation sequence", column 17, line 26.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Capps into Vyncke because Vyncke discloses a method of optimizing graphical objects and Capps discloses the displayed objects can be deleted after certain time range in order to simplify the process.

23. As per claim 5, Vyncke demonstrated all the elements as applied to the rejection of independent claim 1, supra.

Vyncke discloses a generating means for optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generating means deletes a source object when a display time for said source object is out of a display time range for said set of source objects", however, this is known in the art as taught by Capps et al., hereinafter

Capps. Capps discloses an object deleting method in which "the object O could be deleted after the animation sequence", column 17, line 26.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Capps into Vyncke because Vyncke discloses a generating means for optimizing graphical objects and Capps discloses the displayed objects can be deleted after certain time range in order to simplify the process.

24. As per claim 23, since Vyncke and Cannon's disclosure are used in computer graphics processing, it is obvious the method can be written and executed in the form of computer program, therefore is similarly rejected as claims 14.

Response to Arguments

25. Applicant's arguments with respect to claims 1-2, 4-11, 13-20 and 22-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquiries

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ryan Yang** whose telephone number is **(703) 308-6133**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi**, can be reached at **(703) 305-4713**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 305-47000377.

Ryan Yang
July 8, 2003

A handwritten signature in black ink, appearing to be 'MR', with a long horizontal line extending to the right.

MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600